



REPORT TO COUNCIL City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

CONSENT
May 27, 2008

Honorable Mayor and Members of the City Council, Financing Authority
Housing Authority, and Redevelopment Agency

Title: Approval of Council Minutes

Location/Council District: (Citywide)

Recommendation:

Approve the afternoon and evening City Council, Redevelopment Agency, Housing Authority and Financing Authority for May 6, 2008.

Contact: Shirley Concolino, City Clerk, (916) 808-7200

Presenters: None

Department: City Clerk

Division: None

Organization No: 0700

Financial Considerations: None.

Environmental Considerations: None.

Policy Considerations: None.

ESBD Considerations: Not Applicable.

Respectfully Submitted by: *Shirley Concolino*
Shirley Concolino, City Clerk

Table of Contents:

Minutes for May 6, 2008

MINUTES

Tuesday, May 6, 2008

City Hall – 915 I Street- First Floor Council Chamber

All items listed are heard and acted upon by the Sacramento City Council unless otherwise noted.

Open Session - 2:00 p.m.

Roll Call - A regular meeting of the Sacramento City Council was called to order by Mayor Fargo at 2:07 p.m. Tuesday, May 6, 2008 at the Sacramento City Hall Council Chamber. All members present.

Special Presentations/General Communications- None.

In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.

Consent Calendar (Items 1 - 14)

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request an item be removed for separate consideration.

Action: Moved, seconded, carried (Waters/Sheedy) to adopt the Consent Calendar in one motion except as indicated.

1. **(City Council/ Financing Authority/Housing Authority/Redevelopment Agency)
Approval of Minutes for April 15, 2008**

Location: (Citywide)

Recommendation: Approve the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for April 15, 2008.

Contact: Shirley Concolino, City Clerk, (916) 808-7200, Office of the City Clerk.

Action: Approved recommendation.

2. **Confirmation of Board and Commission Appointments**

Location: (Citywide)

Recommendation: Confirmation of board/commission appointments: 1) Sacramento Youth Commission – Jillian Wilson (Category A-1); 2) Del Paso Heights Redevelopment Advisory Committee – Dora Perry (Category C).

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093; Ruci Katia, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.

Action: Approved recommendation.

3. Open an Application Period for Various Boards and Commissions

Location: (Citywide)

Recommendation: Open an application period for the Housing Code Advisory & Appeals Board to open 05/07/08 with applications due 06/06/08.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093; Ruci Katia, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.

Action: Approved recommendation.

4. (Redevelopment Agency) Contract/Allocation of Funds: Del Paso Heights Redevelopment Plan Amendment

Location: Del Paso Heights Redevelopment Area (District 2)

Recommendation: Adopt a **Redevelopment Agency Resolution** authorizing the Interim Executive Director, or her designee, to 1) amend the Sacramento Housing and Redevelopment Agency budget to transfer \$200,000 of Del Paso Heights Tax Increment Development Assistance funds to the Del Paso Heights Redevelopment Plan Amendment project, and 2) enter into a professional services contract with Murphy and Davis, LLP to assist the Agency in preparing all legal documentation and information necessary to amend the Redevelopment Plan for the purposes of increasing the cumulative Tax Increment (TI) limitation for an amount not to exceed \$200,000.

Contact: Lisa Bates, Deputy Executive Director, 440-1316; Chris Pahule, Assistant Director, Community Development, 440-1350, Sacramento Housing and Redevelopment Agency.

Action: Adopted Redevelopment Agency Resolution No. 2008-021.

5. (Redevelopment Agency/City Council) Acquisition of 3004 Redding Avenue Project

Location: Near the intersection of 65th Street and Broadway; 65th Street Redevelopment Project Area (District 6)

Recommendation: 1) Adopt a **Redevelopment Agency Resolution** a) authorizing the purchase for just compensation, which is fair market value as defined by an independent appraisal, for the project; b) amending the 2008 Sacramento Housing and Redevelopment Agency (SHRA) budget to transfer \$633,000 of 2006 65th Street Taxable Bond funds to purchase the property which will fund all actions necessary to purchase the property and transfer it to the City of Sacramento; c) approving the Relocation Plan for the property; d) approving the Replacement Housing Plan for the property; e) authorizing transfer of the property located at 3004 Redding Avenue to the City; f) making related findings; 2) adopt a **City Resolution** a) authorizing the City Manager to accept the transfer of property from the Redevelopment Agency and to carry out all activities reasonably necessary to accomplish this transfer of property including a certificate of acceptance; b) approving the Relocation Plan for the eligible tenant of the property (California Health and Safety Code Section 33410 et seq.); and c) making related findings.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1316; Chris Pahule, Assistant Director, Community Development, (916) 440-1350; J.P. Tindell, Manager, (916) 808-8234, Parks Planning & Development.

Action: Adopted Redevelopment Agency Resolution No. 2008-022 and City Council Resolution No. 2008-255.

6. (Redevelopment Agency) Acquisition of 2075 Barstow Street Property

Location: 2075 Barstow Street, North Sacramento Redevelopment Area (District 2)

Recommendation: Adopt a **Redevelopment Agency Resolution** 1) authorizing the purchase of property for just compensation, which is fair market value as determined by an independent appraisal; and 2) amending the 2008 Sacramento Housing and Redevelopment Agency (SHRA) budget to transfer \$200,000 of North Sacramento Developers Assistance funds to the project to fund all actions necessary to purchase this property.

Contact: Lisa Bates, Deputy Executive Director, 440-1316, Chris Pahule, Assistant Director, Community Development, 440-1350, Sacramento Housing and Redevelopment Agency.

Action: Moved, seconded, carried (Waters/Sheedy; Mayor Fargo (recused)) to adopt Redevelopment Agency Resolution No. 2008-023.

7. (City Resolution/Redevelopment Agency) Agreement: Approval and Funding of Quality of Life Projects (TR56)

Location: Oak Park Redevelopment Project Area (District 5)

Recommendation: 1) Adopt a **City Resolution** a) amending FY 2007-2008 Capital Improvement Project (CIP) budget by appropriating \$460,000 of 2005 Oak Park Tax Exempt bond funds to the project; b) authorizing the City Manager to execute an Individual Project Agreement (IPA) in the amount of \$450,000 for the project; and c) make related findings; and 2) adopt a **Redevelopment Agency Resolution** a) amending the 2008 Sacramento Housing and Redevelopment Agency budget to transfer \$60,000 of 2005 Oak Park Tax Exempt bond funds to the project; b) authorizing the Interim Executive Director, or her designee, to execute an IPA with the City of Sacramento in the amount of \$450,000 for the project; and c) make related findings.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1316; Chris Pahule, Assistant Director, Housing and Community Development, (916) 440-1350, Sacramento Housing and Redevelopment Agency, Ryan Moore, Senior Civil Engineer, (916) 808-8279, Department of Transportation.

Action: Adopted City Council Resolution No. 2008-256 and Redevelopment Agency Resolution No. 2008-024.

8. Articles of Incorporation and Bylaws of Sacramento Hotel Corporation

Location: (District 3)

Recommendation: Adopt a **City Council Resolution and Financing Authority Resolution** approving amendments to the Sacramento Hotel Corporation's articles of incorporation and bylaws ("Corporation Documents"), which broaden the corporation's mission and authorizing distribution of proceeds from the sale of the Sheraton Grand Hotel at 13th and J streets without dissolving the corporation.

Contact: Sheri Smith, Project Manager, (916) 808-7204; Leslie Fritzsche, Downtown Division Manager, (916) 808-5450, Economic Development Department.

Action: Adopted City Council Resolution No. 2008-257 and Financing Authority Resolution No. 2008-002 as amended.

9. Supplemental Agreements: Intermodal Site Acquisition Project (PN: T15029001)

Location: Citywide

Recommendation: Adopt a **Resolution** 1) approving the transfer of \$905,000. (Fund 2023) from the Sacramento Intermodal Transportation Facility Project (PN: T15029000) to the project; 2) ratifying the attorneys fees and direct costs incurred under City Agreement No. 2007-0579 in the sum of \$61,211.54; 3) approving the costs of consultants retained by Miller, Owen & Trost in the sum of \$75,442.27; 4) authorizing the City Attorney to enter into the First Amendment to the Legal Services Agreement with Miller, Owen & Trost to provide legal services to the City with regard to the acquisition of the Downtown Railyards Depot property acquisition, to expand the scope of services of the City Agreement 2007-0579 and increase the authority of the Agreement by an amount not to exceed \$400,000 in attorneys fees and costs; 5) approving Supplemental Agreement No. 2 for \$60,000 to the City's contract with National Valuation Consultants, Inc. under City Agreement No. 2007-0199; and 6) ratifying the unpaid cost of services rendered by National Valuation Consultants under City Agreement No. 2007-0199, as supplemented, in the sum of \$20,500 and authorizing the City Manager to pay said amount to National Valuation Consultants. the sum of \$20,500 for services rendered under City Agreement No. 2007-0199, as supplemented.

Contact: Bob Tokunaga, Supervising Deputy City Attorney, (916)808-5346, Office of the City Attorney, Bill Sinclair, Program Manager, Facilities and Real Property Management Division, (916) 808-1905; General Services Department.

Action: Removed from consent calendar by Councilmember McCarty. Moved, seconded, carried (Tretheway/Waters; Absent – Cohng/Hammond) to adopt Resolution No. 2008-258.

10. Contracts: Sports Official Services [To Be Delivered]

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) awarding a three-year contract with two, one-year options to renew with the Greater Sacramento Softball Association (GSSA) to provide softball officials for a cumulative amount not to exceed \$559,354; 2) awarding a one-year contract with four, one-year options to renew with the Sacramento Metropolitan Officials Association (SMOA) to provide baseball, basketball and

volleyball officials for a cumulative amount not to exceed \$170,865; 3) authorizing the City Manager or the City Manager's designee to execute the contracts with the renewal options provided that sufficient funds are available in the budget of the Community Recreation Services organization in FY2010/11 and FY2011/12 for GSSA and in FY2008/09 through FY2011/12 for SMOA.

Contact: Alan Tomiyama, Recreation Manager, (916) 808-8958; Susan Vieth, Superintendent, (916) 808-1575, Parks and Recreation Department.

Action: Continued to May 13, 2008.

11. Contract: Hydraulic Equipment Parts and Repair Services
Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) awarding Berendsen Fluid Power, the lowest responsive and responsible bidder, a one-year contract with three one-year renewal options for the purchase of hydraulic parts and repair services in an amount not to exceed \$1,081,842; and 2) authorizing the City Manager or the City Manager's designee to execute the contract specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).

Contact: Keith Leech, Fleet Manager, (916) 808-5869, General Services Department.

Action: Adopted Resolution No. 2008-260. CO2008-102

12. Supplemental Agreement: Samuel C. Pannell Meadowview Community Center Toxic Remediation

Location: 2450 Meadowview Road (District 8)

Recommendation: Adopt a **Resolution** 1) ratifying Supplemental Agreement No. 1 to City Agreement 2004-0011 with John J. Tomko in the amount of \$19,300; 2) restoring the City Manager's signature authority for this project; and 3) authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement No. 2 to City Agreement 2004-0011 with John J. Tomko in an amount not to exceed \$99,680.

Contact: Terry Grayson, Construction Manager, (916) 808-5879; Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

Action: Adopted Resolution No. 2008-261.

13. Hart Trust Fund Advisory Committee Guidelines and Project Recommendation
Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) approving the "Ethel MacLeod Hart Trust Fund – Guidelines for Advisory Committee and Trust Fund Administration"; and 2) approving the "Ethel MacLeod Hart Trust Fund — 2008 Project Allocation" establishing a \$25,000 Contingency Fund for unanticipated projects and program emergencies.

Contact: Sylvia Fort, Division Manager, (916) 808-8381; Rosanne Bernardy, Recreation Superintendent, (916) 808-1590, Parks and Recreation Department.

Action: Adopted Resolution No. 2008-262 as amended.

14. Burberry Park Phase 2 (LT19, L19111001)

Location: 2400 Burberry Drive (District 1)

Recommendation: Adopt a **Resolution** appropriating \$875,000 of Park Development Impact Fee (PIF), Fund 791 (3204), to the project.

Contact: J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.

Action: Adopted Resolution No. 2008-263.

Public Hearings (Items 15 and 16)

Public hearings may be reordered by the Mayor at the discretion of the legislative bodies.

15. Leavitt Estates (P07-134) (Noticed on 4-25-08, passed for publication on 4-29-08, published on 5-2-08)

Location: (District 5)

Recommendation: Conduct a public hearing and upon conclusion adopt 1) a **Resolution** approving the environmental exemption under California Environmental Quality Act (CEQA) Guidelines Section 15332 (Infill Development); 2) a **Resolution** approving the tentative map and special permit to allow the construction of 17 single-family residences; and 3) an **Ordinance** approving a rezoning from Standard Single-Family Executive Airport Overlay [R-1 (EA-4)] to Single-Family Alternative Executive Airport Overlay [R-1A (EA-4)] relating to the project

Contact: Paul Philley, Junior Planner, (916) 808-5714; Nedzlene Ferrario, Senior Planner, (916) 808-7826, Development Services Department.

Action: No public comment. Moved, seconded, carried (Hammond/Pannell) to close the public hearing and adopt Resolution Nos. 2008-264 as amended, 2008-265 and Ordinance No. 2008-019.

16. Fiscal Year 2008/09 Proposed Operating Budget Overview (Noticed on 4-4-08)

Location: (Citywide)

Recommendation: Conduct the budget hearing for Fiscal Year 2008/09 Operating and Capital Budgets.

Contact: Leyne Milstein, (916) 808-8491, Budget Manager, Finance Department.

Action: Received and filed.

Staff Reports (Items 17 - 19)

Staff reports include an oral presentation including those recommending receive and file.

17. Annual Report: Access to Clean Syringes Programs

Location: (Citywide)

Recommendation: 1) Receive and file the first annual report on Access to Clean Syringes Programs in the City of Sacramento and 2) direct staff to work with the County Public Health Officer on a plan to deal with syringe disposal as it relates to the

syringe exchange programs and the new state law that takes effect September 1, 2008 and return to Mayor and Council for approval of the plan.

Contact: Glennah Trochet, M.D. Sacramento County Public Health Officer (916) 875-5881, Sacramento County Department of Health and Human Services.

Action: Public comment given by Michael Martinez. Moved, seconded, carried (Waters/Fargo) to approve recommendation and direct staff to work with the county on syringe disposal returning to Council with a progress report after September 2008.

18. **(Redevelopment Agency/City Council) Richards Boulevard Redevelopment Amendment & Railyards Plan Adoption** (Noticed on 3-25-08, 4-1-08, 4-8-08 and 4-15-08)

Location: Richards Boulevard Redevelopment Project Area (District 1)

Recommendation: 1) Adopt a) a **Redevelopment Agency Resolution** certifying the completion of the Final Environmental Impact Report for the proposed Redevelopment Plan for the Railyards Redevelopment Project and the proposed Seventh Amendment to the Redevelopment Plan for the Richards Boulevard Redevelopment Project; adopting a Statement Of Findings, Facts, and Overriding Considerations; and adopting a Mitigation Monitoring Plan; b) a **Redevelopment Agency Resolution** finding that the use of taxes allocated from the Railyards Redevelopment Project for the purpose of increasing, improving, and preserving the community's supply of low- and moderate-income housing outside the project area will be of benefit to the Project; and c) a **Redevelopment Agency Resolution** approving the Redevelopment Plan for the Railyards Redevelopment Project, approving the Seventh Amendment to the Redevelopment Plan for the Richards Boulevard Redevelopment Project, recommending that the City Council adopt the Railyards Redevelopment Plan and the Seventh Amendment, and adopting Implementation Plans for the Projects; 2) adopt a) a **City Council Resolution** adopting a Statement of Findings, Facts and Overriding Considerations based upon consideration of the Final Environmental Impact Report for the proposed Redevelopment Plan for the Railyards Redevelopment Project and the proposed Seventh Amendment to the Redevelopment Plan for the Richards Boulevard Redevelopment Project; and adopting a Mitigation and Monitoring Plan; b) a **City Council Resolution** finding that the use of taxes allocated from the Railyards Redevelopment Project for the purpose of increasing, improving, and preserving the community's supply of low- and moderate-income housing outside the Project Area will be of benefit to the Project; c) a **City Council Resolution** electing, pursuant to Section 33676(a) of the California Community Redevelopment Law, to receive the tax revenues attributable to tax rate increases imposed for the benefit of the City of Sacramento after the adoption of the proposed Redevelopment Plan for the Railyards Redevelopment Project; d) a **City Council Ordinance** amending Ordinance Nos. 90-037, 94-046, 96-038, 2003-73, 2004-050, 2007-003, and 2007-044, and approving and adopting the Seventh Amendment to the Richards Boulevard Redevelopment Plan; and e) **City Council Ordinance** approving and adopting the Railyards Redevelopment Plan.

Contact: Rachel Hazlewood, Senior Project Manager, (916) 808-8645; David Harzoff, Economic Development Manager, (916) 808-5385, Economic Development Department.

Action: No public comment. Moved, seconded, carried (Tretheway/Fong; Absent – Hammond) to adopt Redevelopment Agency Resolution Nos. 2008-025, 2008-026, and 2008-027 and City Council Resolution Nos. 2008-266, 2008-267 and 2008-268.

Following that action, the City Clerk requested that council reconsider and revote to clarify the ambiguities contained in the staff report regarding the Ordinance Pass For Publication process as required by the City Charter.

Moved, seconded, carried (Tretheway/Waters) to adopt Redevelopment Agency Resolution Nos. 2008-025, 2008-026 and 2008-027 and City Council Resolution Nos. 2008-266, 2008-267 and 2008-268.

Moved, seconded, carried (Tretheway/Pannell) to review 1) an Ordinance amending Ordinance Nos. 90-037, 94-046, 96-038, 2003-73, 2004-050, 2007-003, and 2007-044, and approving and adopting the Seventh Amendment to the Richards Boulevard Redevelopment Plan; and 2) an Ordinance approving and adopting the Railyards Redevelopment Plan; and 3) pass for publication the Ordinance titles as required by the Sacramento City Charter 32c to be adopted May 13, 2008.

19. (Redevelopment Agency) Downtown Housing Investment Strategy and Notice of Funding Availability (NOFA)

Location: Downtown (Districts 1, 3 and 4)

Recommendation: Adopt a **Redevelopment Agency Resolution** a) approving the Downtown Housing Investment Strategy; b) allocating \$25 million of Merged Downtown Low and Moderate Income Housing Funds to implement the investment strategy and amending the Agency budget accordingly; and c) authorizing the Interim Executive Director to issue a \$25 million NOFA for the development of mixed-income housing in the Merged Downtown Sacramento Redevelopment Area.

Contact: Jim Hare, Assistant Director, (916) 440-1313, Sacramento Housing and Redevelopment Agency; Leslie Fritzsche, Downtown Division Manager, (916) 808-5450, Economic Development Department.

Action: No public comment. Moved, seconded, carried (Tretheway/Fong) to adopt Redevelopment Agency Resolution No. 2008-028.

Public Comments-Matters Not on the Agenda

- a. Bruce Pomer – child abuse reporting.

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointment
 - 1. Stockton Blvd. Redevelopment Advisory Committee
 - a. Steven Williams (D5)
 - b. Detria Thompson (D6)
 - 2. Oak Park Redevelopment Advisory Committee
 - a. Lorcan Barnes
 - b. Robert Jones
 - c. Nicki Corbett
 - d. Ronald Shewsbury
 - e. Mark Rentz
 - 3. Sacramento youth Commission
 - a. Lily Hoang (d6)
- b. Reports Back – None.
- c. Meeting/Conference Reports – None

Closed Session

City Council

- a) Pursuant to Government Code section 54957 for a matter pertaining to personnel to consider the appointment of the City Treasurer.

Sacramento Housing and Redevelopment Agency

- b) Pursuant to Government Code section 54956.8 for a matter pertaining to real property negotiations. Authorization to negotiate with Greenfair Homeowner's Association for the acquisition of all or portions of the real properties identified by Assessor's Parcel Numbers 011-0350-023, 011-0350-044, 011-0350-043, 011-0360-039, 011-0360-040, 011-0340-040, 011-0370-042, and 011-0380-010. The purpose is to confer with the Agency's chief negotiators, LaShelle Dozier, Lisa Bates, Dana Phillips and Christine Weichert regarding the price, terms and conditions of the acquisitions.

Recess to Closed Session - 4:10 p.m.

Reconvene – 6:00 p.m.

Roll Call - A regular meeting of the Sacramento City Council was called to order by Mayor Fargo at 6:07 p.m. Tuesday, May 6, 2008 at the Sacramento City Hall Council Chamber. All members present.

Pledge of Allegiance – led by Councilmember Waters.

Closed Session Report – None.

The City Attorney shall determine if any actions taken by the City Council or legislative bodies in Closed Session shall require a reporting on those actions as required by Law (Government Code §54957.1 (a) (3) (B)).

Special Presentations/General Communications

a. **Recognizing “May 2008” as Older American’s Month**

Action: Proclamation presented at 2:00 pm session to Geri Esposito.

In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.

Staff Reports (Item 20)

Staff reports include an oral presentation including those recommending receive and file.

20. **2007-2008 Annual Report of the Development Oversight Commission (DOC)**

Location: (Citywide)

Recommendation: Adopt a **Resolution** accepting the 2007-2008 Annual Report of the DOC Initiatives.

Contact: William Thomas, Director of Development, (916) 808-1918, Janis Franklin, Program Specialist, Development Services Department.

Action: No public comment. Moved, seconded, carried (Cohn/Pannell) to adopt Resolution No. 2008-269.

Public Comments-Matters Not on the Agenda

- a. Vickie Kirk - Sutter Medical Foundation expansion activities affecting school site and children’s health (also on behalf of Tracey Roberts, Rosemary Madsen)
- b. Bill Grant - Various issues concerning seniors

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointment - None.
- b. Reports Back – None.
- c. Meeting/Conference Reports – None

Adjournment – 7:20 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the May 6, 2008 meeting as approved by the Sacramento City Council.

Shirley Concolino, City Clerk